

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE <b>TRANSMITTAL LETTER TO THE UNITED STATES</b> <b>DESIGNATED/ELECTED OFFICE (DO/EO/US)</b> <b>CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NO. 206579
INTERNATIONAL APPLICATION NO. PCT/EP98/07722	INTERNATIONAL FILING DATE 30 November 1998	U.S. APPLICATION NO. 09/646,651
TITLE OF INVENTION METAL-CONTAINING RIBONUCLEOTIDE POLYPEPTIDES		PRIORITY DATE CLAIMED 13 March 1998
APPLICANT(S) FOR DO/EO/US Kiesewetter et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.		
2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.		
3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) now rather than delay examination until the expiration of the applicable time limit set forth in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).		
4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.		
5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul>		
6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).		
7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul>		
8. <input type="checkbox"/> A translation of the amendment to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).		
9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).		
10. <input type="checkbox"/> A copy or translation of the Amendments made by the Applicant during PCT Chapter II, which are attached as Annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
<b>Items 11 to 17 below concern other document(s) or information included:</b>		
11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.		
12. <input type="checkbox"/> An assignment for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
13. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.		
14. <input type="checkbox"/> A substitute specification.		
15. <input type="checkbox"/> A change of power of attorney and/or address letter.		
16. <input type="checkbox"/> A verified small entity statement.		
17. <input type="checkbox"/> Other items or information:		

U.S. APPLICATION NO. 09.646,651		INTERNATIONAL APPLICATION NO. PCT/EP98:07722		ATTORNEY'S DOCKET NO. 206579	
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18. <input type="checkbox"/> The following fees are submitted:				CALCULATIONS	PTO USE ONLY
<b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b>					
Search Report has been prepared by the EPO or JPO ..... \$ 840.00				\$0.00	
International preliminary examination fee paid to USPTO..... \$ 670.00				\$	
No international preliminary examination fee paid to USPTO, but international search fee paid to USPTO ..... \$ 690.00				\$	
Neither international preliminary examination fee nor international search fee paid to USPTO ..... \$ 970.00				\$	
International preliminary examination fee paid to USPTO and all claims satisfied provisions of PCT Article 33(1) to (4) ..... \$ 96.00				\$	
<b>ENTER APPROPRIATE BASIC FEE AMOUNT=</b>				\$0.00	
Surcharge of \$130.00 for furnishing the National fee or oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date				\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	4 -20=	0	x \$ 18 00	\$0.00	
Independent Claims	1 - 3 =	0	x \$ 78 00	\$0.00	
<input type="checkbox"/> Multiple Dependent Claim(s) (if applicable)			+ \$260.00	\$0.00	
<b>TOTAL OF ABOVE CALCULATIONS=</b>				\$0.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed.				\$0.00	
<b>SUBTOTAL=</b>				\$0.00	
Processing fee of <b>\$130.00</b> for furnishing English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date.				\$0.00	
<b>TOTAL NATIONAL FEE=</b>				\$0.00	
Fee for recording the enclosed assignment. The assignment must be accompanied by an appropriate cover sheet. <b>\$40.00</b> per property +				\$0.00	
<b>TOTAL FEE ENCLOSED=</b>				\$0.00	
				Amount to be: refunded	\$
				charged:	\$

a. ☐ A check in the amount of \$                      to cover the above fee is enclosed.

b. ☐ Please charge Deposit Account No. 12-1216 in the amount of \$                      to cover the above fees. A duplicate copy of this sheet is enclosed.

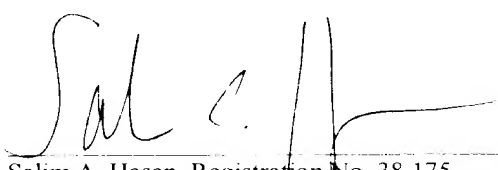
c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 12-1216. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

LEYDIG, VOIT & MAYER, LTD.  
Two Prudential Plaza, Suite 4900  
180 North Stetson  
Chicago, Illinois 60601-6780  
(312) 616-5600 (telephone)  
(312) 616-5700 (facsimile)

  
 Salim A. Hasan, Registration No. 38,175  
 One of the Attorneys for Applicant(s)

**PATENT**

Attorney Docket No. 206579

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Kiesewetter et al.

Group Art Unit: Unassigned

Application No. 09/646,651

Examiner: Unassigned

Filed: September 13, 2000

For: METAL-CONTAINING  
RIBONUCLEOTIDE  
POLYPEPTIDES

**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form PTO-1449, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form PTO-1449 is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

The Information Disclosure Statement is being filed:

- ☒ (a) within three months of the filing date of the patent application, (b) within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 of the international application, or (c) before the mailing date of a first Office Action on the merits.

In re Appln. of Kiesewetter et al.  
Application No. 09/646,651

- ☐ **after** (a), (b), or (c) above, but before the mailing date of a final action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, and includes:
- ☐ the Certification under 37 C.F.R. § 1.97(e) (see "Certification" below).
- ☐ the fee of \$240 set forth in 37 C.F.R. § 1.17(p) (see "Fees" below).
- ☐ **after** the mailing date of a final action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, and includes the Certification under 37 C.F.R. § 1.97(e) (see "Certification" below), a Petition requesting consideration of the Information Disclosure Statement (see "Petition" below), and the Petition Fee set forth in 37 C.F.R. § 1.17(i) (see "Fees" below).

### Copies Of The References

- ☒ Copies of the references listed on the enclosed Form PTO-1449 are enclosed herewith. Attached to each reference not in the English language is a concise explanation of the relevance pursuant to 37 C.F.R. § 1.98(a)(3).
- ☐ A copy of the foreign search report is enclosed herewith.
- ☐ The references listed on the enclosed Form PTO-1449 were previously identified in the parent application(s) of the present application, and copies of the references were furnished at that time. Accordingly, additional copies of the references are not submitted herewith, so as not to burden the file with duplicate copies of references. The Examiner is respectfully requested to carefully review the references in accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with 37 C.F.R. § 1.98(d), the details of the parent application(s) relied upon for an earlier filing date under 35 U.S.C. § 120 in which copies of the references were previously furnished are set out below:

U.S. APPLICATIONS		Status ( <i>check one</i> )		
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
1. 0 /				
2. 0 /				
3. 0 /				

### Other Applications

- ☐ The Examiner's attention is directed to the following U.S. patent application(s):

In re Appln. of Kiesewetter et al.  
Application No. 09/646,651

U.S. APPLICATIONS		Status ( <i>check one</i> )		
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
1. 0 /				
2. 0 /				
3. 0 /				

#### Certification

- ☐ The **undersigned attorney** hereby certifies that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.
- ☐ The **undersigned attorney** hereby certifies that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application or, to the knowledge of the attorney signing after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

#### Petition

- ☐ The undersigned attorney hereby petitions the Commissioner to consider this Information Disclosure Statement and the references listed on the enclosed Form PTO-1449 in the examination of the above-identified patent application.

#### Fees

- ☒ **No fee** is owed by the applicant(s).
- ☐ The **IDS Fee of \$240.00** under 37 C.F.R. § 1.17(p) is enclosed herewith.
- ☐ The **Petition Fee of \$130.00** set forth in 37 C.F.R. § 1.17(i) is enclosed herewith.

#### Method Of Payment Of Fees

- ☐ Attached is a check in the amount of \$ .
- ☐ Charge Deposit Account No. 12-1216 in the amount of \$ . (A duplicate copy of this communication is enclosed for that purpose.)

In re Appln. of Kieseewetter et al.  
Application No. 09/646,651

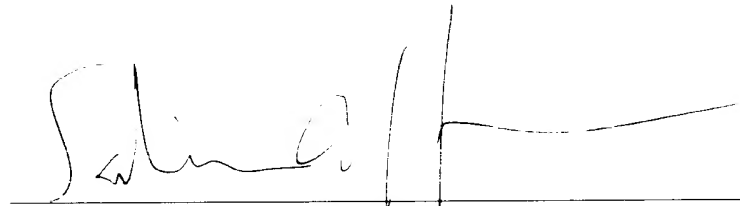
**Authorization To Charge Additional Fees**

- ☒ If any additional fees are owed in connection with this communication, please charge Deposit Account No. 12-1216. (A duplicate copy of this communication is enclosed for that purpose.)

**Instructions As To Overpayment**

- ☒ Credit Account No. 12-1216.  
☐ Refund

Date: October 27, 2000

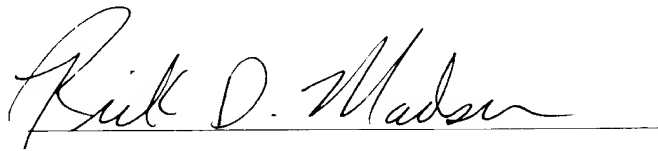


Salim A. Hasan, Reg. No. 38,175  
One of the Attorneys for Applicant(s)  
LEYDIG, VOIT & MAYER, LTD.  
Two Prudential Plaza, Suite 4900  
180 North Stetson  
Chicago, Illinois 60601-6780  
(312) 616-5600 (telephone)  
(312) 616-5700 (facsimile)

**CERTIFICATE OF MAILING**

I hereby certify that this INFORMATION DISCLOSURE STATEMENT (along with any documents referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: October 27, 2000



IDS (Rev. 5-22-2000)